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CENTRAL FAX CENTER****JUL 06 2007****REMARKS**

The present Amendment amends claims 1-4. Therefore, the present application has pending claims 1-4.

Claims 1-4 stand rejected under 35 USC §102(b) as being anticipated by McWhirter (U.S. Patent No. 4,477,848). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now recited in claims 1-4 are not taught or suggested by McWhirter whether taken individually or in combination with any of the other references of record. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims to more clearly describe features of the present invention. Particularly, amendments were made to the claims to recite that the present invention is directed to a recording/reproducing apparatus for recording a transmitted signal onto a recording medium and for reproducing the transmitted signal from the recording medium.

According to the present invention, the recording/reproducing apparatus includes a recorder which records the transmitted signal by a record/reproducing head onto a recording medium, a reproducer which reproduces the recorded transmitted signal by a recording/reproducing head from the recording medium and outputs the reproducing signal and a disabling circuit which disables the transmitted signal recorded on the recording medium by a recording/reproducing head.

Further, according to the present invention the transmitted signal, recorded on the recording medium, is scrambled using a key code and is restricted from being copied.

Still further, according to the present invention the reproducer descrambles the reproduced transmitted signal using the key code and outputs the descrambled signal after adding information to restrict copying.

Still further yet, according to the present invention the disabling circuit disables the transmitted signal, recorded on the recording medium, after the transmitted signal have been reproduced.

The above described features of the present invention as now more clearly recited in the claims are not taught or suggested by McWhirter whether taken individually or in combination with any of the other references of record.

McWhirter teaches an apparatus for recording an audio message onto a recording medium and playing back the audio message according to a manner such that it is established whether the message being played back is an authentic reproduction of the originally recorded audio message or not. In McWhirter apparatus is provided for producing a first data signal indicative of the audio message and recording it together with the audio message to aid in authenticating the original audio message as recorded. As per McWhirter a second data signal is produced indicative of the playback message and the second data signal is compared with the first data signal to establish whether the playback is an authentic reproduction of the originally recorded audio message.

McWhirter further teaches that the signal being recorded is fed through a frequency shift key encoder 12 which converts the serial output data into

two frequency representations with the first frequency representing "0" and the second frequency representing "1". Those of ordinary skill in the art would readily recognize that this is not the scrambling of the original signal but is simply the normal conventional method of converting a serial electrical signal to the equivalent representation of a digital signal that is recorded onto a tape.

McWhirter even further teaches that an indicator is set on the tape prior to the recording of information on the tape so as to indicate when the tape has been used. This indication as per McWhirter is intended to help avoid subsequent recordings of information over the information already recorded on the tape. McWhirter teaches that upon detecting the indicator is disabled. Thus, in McWhirter the encoder rather than the information recorded on the tape is disabled. Therefore, McWhirter simply teaches, as is conventional, a method to prevent the recording of data over previously recorded material.

It is quite clear from the above that McWhirter does not teach or suggest the scrambling of the transmitted signal according to a key code and the recording of the scrambled transmitted signal on the recording medium as in the present invention. McWhirter simply teaches the conventional encoding of 1's and 0's representing digital data onto a tape.

Further, it is quite clear from the above that McWhirter does not teach or suggest that the scrambled transmitted signal, upon being reproduced from the recording medium, is then descrambled and output along with information to restrict its copying and that the transmitted signal recorded on the recording medium is disabled after having been reproduced as in the present invention. According to the present invention the transmitted signal is scrambled and then recorded onto the recording medium. Further, according to the present

invention the recorded transmitted signal is descrambled using a key code upon its reproduction from the recording medium. In addition, according to the present invention the transmitted signal which is recorded onto the recording medium is disabled after having been reproduced. Such features are clearly not taught or suggested by McWhirter.

Thus, McWhirter fails to teach or suggest that the transmitted signal, recorded on the recording medium, is scrambled using a key code and is restricted from being copied, and that the reproducer descrambles the reproduced transmitted signal using the key code and outputs the descrambled signal after adding information to restrict copying as recited in the claims.

Further, McWhirter fails to teach or suggest a disabling circuit which disables the transmitted signal recorded on the recording medium by a recording/reproducing head, wherein the disabling circuit disables the transmitted signal, recorded on the recording medium, after the transmitted signal has being reproduced as recited in the claims.

Therefore, McWhirter fails to teach or suggest the features of the present invention as now more clearly recited in the claims and as such does not anticipate nor render obvious the claimed invention. Accordingly, reconsideration and withdrawal of the 35 USC §102(b) rejection of claims 1-4 as being anticipated by McWhirter is respectfully requested.

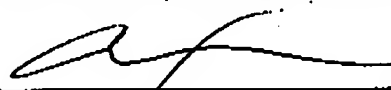
The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the reference utilized in the rejection of claims 1-4.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-4 are in condition for allowance. Accordingly, early allowance of the present application based on claims 1-4 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (501.33506CX6).

Respectfully submitted,

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